

IT IS ORDERED

Date Entered on Docket: August 6, 2020



The Honorable David T. Thuma
United States Bankruptcy Judge

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW MEXICO

In re: **MICHAEL J. NEMELKA**
MARIA GUADALUPE NEMELKA
Debtor(s).

Case No. 19-12795-t13

ORDER FOR TRUSTEE TO ABANDON REAL PROPERTY OF THE ESTATE
AND
ORDER ALLOWING DEBTORS TO SELL REAL PROPERTY

THIS MATTER came before the Court on the Motion For Trustee to Abandon Interest in Real Property and For an Order Allowing Debtors to Sell Real Property filed by the Debtors. The Court being sufficiently advised.

IT IS THEREFORE ORDERED, that:

1. This bankruptcy case was filed on December 5, 2019.
2. Debtors' Chapter 13 Plan was confirmed on April 13, 2020.
3. The bankruptcy estate contains real property consisting of the Trustee's interest in Debtors' primary residence with the physical address 9928 Wellington NE, Albuquerque, NM 87111.

4. Truist Bank has an interest in said property as a consensual first mortgage lien holder, or assignee of same. Mountain America Federal Credit Union has an interest in said property as a consensual home equity line of credit lien holder. To Debtors' and Counsel's knowledge, there are no other liens on this property.
5. It is in the best interests of the estate, and those who have an interest therein, that the interest in said real property be abandoned and that Debtor be allowed to sell the residence, as the Debtors will be able to make plan payments and not have to pay for the real property and their rental.
6. There is no equity in the property exceeding the amount permitted under the appropriate exemptions as set forth in Amended Schedule C.
7. The Chapter 13 Trustee shall abandon the aforementioned property of the estate and the Debtors shall be allowed to sell the real property.

END OF ORDER

Submitted by:

/s/ Jason M. Cline Electronically Submitted

Jason M. Cline

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